

REMARKS

Claims 1-31 and 33-43 are all the claims pending in the application. Claims 2 and 33-42 have been examined. Claims 1, and 3-31 have been withdrawn. Claim 43 is added by this Amendment. Claims 38 and 39 have been rejected under 35 U.S.C. § 112, second paragraph and claims 2 and 33-42 have been rejected under 35 U.S.C. § 102(e).

OBJECTIONS TO THE SPECIFICATION

The Examiner has objected to claim 35 for what the Examiner asserts are minor informalities. Applicant respectfully submits that the above amendments to claim 35 overcome the Examiner's objections.

REJECTIONS UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

The Examiner has rejected claims 38 and 39 under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant respectfully submits that the above amendments to claims 38-39 overcome the Examiner's rejections.

REJECTIONS UNDER 35 U.S.C. § 102(e) IN VIEW OF U.S. PATENT NO. 6,674,599 TO RAE *et al.* ("RAE")

The Examiner has rejected claims 2, 34, 35 and 39 under 35 U.S.C. § 102(e) as being anticipated by Rae. For at least the following reasons, Applicant respectfully traverses this rejection.

A. Claim 2

Applicant submits that claim 2 is patentable over the cited reference. For example, claim 2 recites that, "at least one projection extends from one of a first and a second movement

prevention ribs,” and “said first and second movement prevention ribs are formed discrete from side wall portions of said recording medium cartridge.”

The Examiner maintains that the tape reel defining ribs of Rae, as shown in FIG. 3, disclose the claimed first and second movement prevention ribs (pg. 10 of Office Action). However, as shown in FIG. 3, the alleged second movement prevention rib (*i.e.*, the outer tape reel defining rib) is connected to the side wall of the lower cartridge shell. On the contrary, as stated above, claim 2 recites that the first and second movement prevention ribs are formed discrete from side wall portions of the recording medium cartridge. Since the alleged second movement prevention rib of Rae is connected, *i.e.*, not discrete from, the side wall of the cartridge, Rae fails to teach or suggest the features of claim 2.

In view of the above, Applicant respectfully submits that claim 2 is patentable over the cited art.

B. Claim 34

Since claim 34 is dependent upon claim 2, it is patentable at least by virtue of its dependency.

C. Claim 35

Based on the Examiner’s current interpretation of the claimed projection (*i.e.*, that a side wall of the cartridge of Rae discloses the projection), claim 35 is patentable for analogous reasons analogous to those presented above with respect to claim 2.

D. Claim 39

Claim 39 indirectly depends upon claim 36. Since claim 36 has not been rejected in view of the Rae reference, Applicant submits that the rejection is in error. Nevertheless, Applicant submits that claim 39 is patentable at least by virtue of its dependency upon claim 36.

**REJECTIONS UNDER 35 U.S.C. § 102(e) IN VIEW OF U.S. PATENT NO. 6,667,846 TO
KANO et al. ("KANO")**

The Examiner has rejected claims 2, 33, 36-38 and 40-41 under 35 U.S.C. § 102(e) as being anticipated by Kano. For at least the following reasons, Applicant respectfully traverses this rejection.

A. Claim 2

As an initial matter, Applicant submits that the Examiner has failed to meet his burden of establishing anticipation. In the present Office Action, the Examiner cites FIG. 12A of Kano without any specific description and alleges that the reference discloses the structure recited in the rejected claims. The Examiner's repeated recitation of "as shown in FIG. 12A" is not sufficiently specific to allow the Applicant to reasonably understand and respond to the Examiner's rejection. Applicant therefore respectfully requests the Examiner to withdraw the rejection based on Kano for at least this reason.

However, addressing the merits of the rejection to the extent possible, Applicant submits that Kano fails to teach or suggest a recording medium cartridge as recited in the rejected claims. For example, claim 2 recites a recording medium cartridge "wherein said first portion comprises at least one projection for retaining said noncontact-type memory," "wherein said at least one projection extends from one of a first and a second movement prevention ribs," and "wherein said first and second movement prevention ribs are formed discrete from side wall portions of said recording medium cartridge."

Kano discloses that the memory support sections 300 and 400 of the upper and lower shells are formed at the center section on a rear edge side, not on a front edge side. MIC

(memory-in-cassette) 200 is located at these memory support sections 300 and 400. *See* FIGS. 10A-12B. Memory support sections 300 (FIGS. 12A-B) and 400 (FIGS. 10A-B) are substantially trapezoidal in shape and have protective walls 302 and 402, respectively. While not described in the specification, the sides of memory support sections 300 and 400 function as tape movement prevention ribs, *i.e.*, even if the tape is loosened at the upper bottom portion, the memory support sections function as a barrier to prevent the tape from contacting MIC 200. The memory support sections 300 and 400 each have a pair of insertion grooves 301 and 401, respectively, located on the sides of memory support sections 300 and 400 in such a manner that the insertion grooves oppose each other. The two side edges 207 of MIC 200 are fitted into the grooves 301 and 401.

The Examiner argues that grooves 301 and 401 located on the sides of memory support sections 300 and 400 correspond to the projections recited in claim 2. (Office Action at p. 7). However, a groove, such as groove 301, is structurally distinct from a projection as recited in the rejected claims. Thus, Kano simply does not disclose, *inter alia*, “at least one projection [that] extends from one of a first and a second movement prevention ribs” as recited in claim 2.

Further, the Examiner asserts that Kano teaches a recording medium cartridge wherein “the first and second movement prevention ribs are formed discrete from side wall portions.” (Office Action at p. 7). However, Kano’s substantially trapezoidal ribs having protective walls 302 and 402 forming the memory support sections 300 and 400 are structured in a manner that their lower bottom portions are formed by side walls (surfaces 3a and 4a) on the upper and lower shells 3 and 4. Thus, the sides of the substantially trapezoidal rib which functions as the first and second tape movement prevention ribs are not formed discrete from the side wall. Accordingly,

Kano fails to teach or suggest a recording medium cartridge wherein first and second movement projection ribs are formed discrete from side wall portions of the recording medium cartridge.

B. Claim 33

As claim 33 depends on claim 2 Applicant respectfully submits that claim 33 is patentable over the cited art at least based on this dependency.

C. Claims 36-38 and 40-41

As claim 36 recites limitations similar to those distinguished above with respect to claim 2 and as claims 37-38 and 40-41 depend on claim 36, Applicant submits that these claims are patentable over the cited art for reasons analogous to those presented above with respect to claim 2.

REJECTIONS UNDER 35 U.S.C. § 102(e) IN VIEW OF U.S. PATENT NO. 6,556,378 TO OTA. et al. (“OTA”)

The Examiner has rejected claims 36 and 42 under 35 U.S.C. § 102(e) as being anticipated by Ota. For at least the following reasons, Applicant respectfully traverses this rejection.

The Examiner's rejection is premised on in-cassette memory being positioned in the vicinity of light-shielding barrel 25 which the Examiner asserts corresponds to the tape movement prevention ribs recited in the rejected claims. (Office Action at p. 9). This, however, is simply not the case. As stated in Ota, “[a]n in-cassette memory 150 is accommodated in a memory-accommodating groove 118 formed at the right rear-end portion of the lower shell 110.” (Col. 9, lines 61-63; FIG. 3). Thus, the Examiner's rejection is premised on a interpretation of

Ota that is not based on Ota's disclosure. Accordingly, Applicant submits that the rejection based on the Ota reference should be withdrawn.

As claim 42 depends on claim 36, Applicant submits that claim 42 is patentable over the cited art at least based on this dependency.

CONCLUSION

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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